

1 Bingham McCutchen LLP
2 ROBERT A. LEWIS (SBN 83630)
3 GEOFFREY T. HOLTZ (SBN 191370)
4 ELIZABETH KENNEDY (SBN 246039)
5 Three Embarcadero Center
6 San Francisco, CA 94111-4067
7 Telephone: 415.393.2000
8 Facsimile: 415.393.2286
9 Email: g.holtz@bingham.com

6 Attorneys for Defendant
K&K Insurance Group, Inc.

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UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN FRANCISCO DIVISION

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12 SEAN MICHAEL CARTER,

13 Plaintiff,

V.

14 K&K INSURANCE GROUP, INC., d/b/a
15 SPECIALTY BENEFITS ADMINISTRATOR,
16 INC.; NATIONWIDE LIFE INSURANCE
17 COMPANY; NATIONWIDE MUTUAL
INSURANCE COMPANY; AON
CORPORATION and DOES 1 to 100.

18 Defendant.

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Defendant, K&K Insurance Group, Inc. (“K&K”), through its counsel, stipulates as follows:

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23 1. Defendant K&K did not make any coverage decision with respect to the
24 insurance claim at issue in this litigation and had no authority under its agency agreement with
25 Nationwide to deny a claim on the ground that it was not covered by the underlying policy issued
by the carrier.

2. The insurance claim at issue in this proceeding was beyond K&K's
27 express claims adjusting authority.

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Case No. 3:07-CV-5588-CRB

STIPULATION RE K&K INSURANCE GROUP INC.'S AGENCY STATUS

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2 IT IS HEREBY STIPULATED.

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5 DATED: January 3, 2008

BINGHAM MCCUTCHEN LLP

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7 By _____ /s/

8 Elizabeth Kennedy
9 Attorneys for Defendant,
10 K&K Insurance Group, Inc.

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